

THESES

THE CONSPIRACY OF CATILINE

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M A Y M. W R I G H T.

Offered in partial fulfillment of the requirements for
degree of Master of Arts, Drake University, 1913.

1913
W 93c

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THE CONSPIRACY OF CATILINE.

The conspiracy of **Catiline**, though one of the most picturesque episodes in history and familiar to every school boy, has occasioned historians no little trouble, and in several of the most vital details there is wide divergence of opinion. In the first place, the entire chronology is chaotic. This is notably true of the dates of the election of 68 B. C., the maturing of the plot, and the time of the earlier Catiline orations. Again, some would have us believe there were three separate Catilinarian conspiracies, others two, and still others one. A further matter of controversy is the complicity of certain conspicuous historical personages, notably Caesar and Crassus. The statements of ancient writers are hopelessly conflicting, and modern historians do not find it easy to separate the truth from the error.

The present paper takes the form of a restatement of the story. No other course seemed adequate. Chronology serves as the thread, since many of the matters in dispute are closely connected with chronology. Mooted points are discussed as they are reached with such fullness as the rather extended scope of the subject seemed to warrant.

The historian who tries to construct a consistent account of the party strifes of the years 66-62 B. C. is

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Even a casual reading of Cicero's orations leaves the impression that their author never lost an opportunity of confronted by a mass of evidence, much of which is contradictory and incredible. In order to be able to weigh these statements correctly, he must form some general estimates of the relative values of the ancient authorities from which he is to draw his account. Such estimates must be formed by examining each writer's works for evidences of prejudice and inaccuracy, and by inquiring concerning the reliability of the sources of information used by each.

To make such an examination and inquiry is the first purpose of this paper. Using the results of these investigations as a basis, we shall next proceed to frame an account of the Catilinarian conspiracy and the events leading to it.

DISCUSSION OF SOURCES.

The chief sources to be inspected are Cicero's orations and Sallust's "Catiline." Neither Cicero nor Sallust can be trusted fully, for, since both were enemies of Catiline and active politicians, they can not be expected to present non-partisan accounts.

Even a casual reading of Cicero's orations leaves the impression that their author never lost an opportunity of enhancing his own glory. It is not unreasonable then to infer that he would be likely to paint his enemy, Catiline, in the darkest colors, that his own service to his country might appear as great as possible. However, though we grant that Cicero's delineation of Catiline may be unfair, we can not believe that he prevaricated in regard to dates and other essential matters, for he would not have dared to misrepresent facts which were well known to his hearers. Nevertheless, a complete account of Catiline's conspiracy can not be framed from Cicero's orations alone, for, since it is not the author's aim to give a history, many important links in the story have been omitted.

Though Sallust, unlike Cicero, aimed to give a history of the conspiracy, his account is faulty in many respects. His errors may be accounted for in several ways. In the first place, like other historians of the time, Sallust excelled in the portrayal of manners, customs, and individual character rather than in accuracy of chronology. Consequently, his "Catiline" resembles the modern novel more closely than the modern history. Like the novelist, he presents a few principal characters to which the others are subordinated, and makes a long series of events appear the natural consequence of the ruling desire of one man's life. In his grouping of events with a view to their artistic relations and his consequent neglect of the true chronology,

we see another mark of the good story writer.

Even if we do not assume that this arrangement of events was the result of a conscious effort, it can be explained upon other grounds. Sallust wrote twenty years after the events which he narrated took place. Since it can not be proved that he copied other writers extensively, we must believe that he relied chiefly upon his own memory, which, like the memories of other men, was probably treacherous.

However, it is not probable that all Sallust's mistakes were due to defects of memory, for it is not reasonable to suppose that a man who participated in public affairs as much as did Sallust, could be without prejudice, although he himself¹ (Sall. 4) declares that he is unbiased by party prejudice. Moreover, many passages in the "Catiline" warrant our considering Sallust as a defender of the popular party, though no place can be found in which he directly declares himself as such. In chapter twenty, when giving the supposed speech of Catiline, he presents a plea for the common people so effectively that we have to conclude that it in a measure expressed his own feeling. In his description of the times of which he writes, we see that his attitude is against the "optimates." Again, in chapters thirty-eight and thirty-nine, he speaks of the

1 "statui res gestas populi Romani carptim, ut quaeque memoria digna videbantur, perscribere, - eo magis, quod mihi a spe, metu, partibus rei publicae animus liber erat."

diminished power of the plebs and the increased authority of a few leaders, dwelling upon the oppression of the magistrates in such a way as to arouse our sympathy for the common people, while preserving the appearance of an unprejudiced account.

Granted that Sallust was prejudiced, in what ways may his prejudices be expected to affect his narrative "Catiline"? We should anticipate that the services of men supported by the "optimates" would be underestimated, while such men of the "populares" as were suspected of intrigues against the state would be shielded from blame. This is precisely what we find in the "Catiline". Cicero, who was pledged to favor the optimates, is slighted. According to Sallust, the state was saved by Fortune, and not by the efforts of the consul. No mention of Cicero's Third Oration or of the Thanksgiving decreed in his honor appears in the "Catiline", and Cicero is referred to as a "novus homo", though such a reference is entirely unnecessary. Thus, without openly attacking Cicero, Sallust detracts from the glory that has been accorded him by other historians.

Again, we find our suspicions concerning Sallust's prejudice confirmed when we note that Caesar, a leader of the "populares", who was thought by many to have been a member of Catiline's conspiracy, is shielded in every possible way from the charge of connection with Catiline. In addition to rendering Caesar the service of omitting his name from the list of conspirators, Sallust devotes

an entire chapter to his praise at a stage of his story when it would have been more fitting to have praised Cicero. Moreover, the sections concerning Pompey (19, 38-39) make it evident that Sallust favored Caesar.

Since, then, we find so many evidences that Sallust was greatly influenced by his allegiance to the popular party, we shall hesitate to accept any statements made by him concerning the acts of Cicero and those plans in which there is suspicion that Caesar may have been concerned, unless these assertions are verified by other authors.

Other points of Sallust's narrative may also be called in question. We refer to those which have been gained from hearsay, as is indicated by the author's use of such words as "Sunt qui ita dicant." (Sall. 19).

The writings of Plutarch which bear most directly upon the conspiracy are his lives of Cicero, Caesar, and Cato. That he used the writings of Cicero as his chief source is evident, for his whole story of the conspiracy is told from Cicero's standpoint. Willrich¹ has collected further evidence that Plutarch drew from Cicero. He points out the passages of Plutarch describing the Agrarian and Roscian Laws as containing Cicero's very words. However, it can not be maintained that Cicero was Plutarch's sole source, for many of his incidents are not found in Cicero. It is not improbable that he

1 ("De Coniurationis Catilinae Fontibus")

consulted Sallust, but he must have had a third source, for much that he tells appears neither in Sallust nor Cicero. We are inclined to accept Dr. Lillie's¹ conclusion that this source was Livy.

Another authority we shall use is Dio Cassius. It is agreed that he compiled his account from many sources. For this reason his account is more dispassionate than those of Cicero and Sallust.

Because Dio's story of the beginning of the conspiracy does not agree with the accounts of Sallust and Cicero, and because many things told by him can be found nowhere else, Willrich has concluded that Livy was his chief source. This conclusion is important, for Livy, writing during the time of Augustus, would have been free from the prejudices which governed Cicero and Sallust.

Among the minor sources Suetonius should be mentioned. Among his authorities he mentions Tanusius Geminus, M. Bibulus, C. Curio, and M. Actorius Naso², the reliability of whose statements can not be determined, since none of their works are extant. However, an examination of Suetonius' works themselves reveals the fact that he was not a careful historian, since he often attaches as much importance to mere gossip as to verified statements. Hence, care must be taken not to accept points of his narrative unless they are verified by other authors.

1 ("De Coniuratione Quaestio Chronologica")

2 (Suet. D. J. 9)

Other sources not to be ignored are Appian and Asconius who are of interest because they mention some points which are not found in other authors.

From our estimates of the values of the different authorities we derive the conclusion that, in regard to points about which Cicero and Sallust differ, preference should be given to the version which is supported by Plutarch, Dio Cassius, and through these Livy, since these writers had access to both accounts, and were unbiased judges. The stories of Suetonius, Appian and Asconius may be used to support and supplement those of the major authorities.

THE MAN CATILINE.

Lucius Sergius Catiline belonged to an old patrician family.¹ (Sall. 5.) His great grandfather, M. Sergius Silus, was prominent in the Second Punic War. (Pliny) Not much is known of his father further than the fact that he was in needy circumstances. (Q. Cic. de Pet. Cons. 2)

Some of the undisputed facts of the life of Lucius Catiline prior to his connection with the noted conspiracies are that he was quaestor in 77, praetor in 68, and governor of Africa in 67-66. It is also well known that he was an active partisan of Sulla, the Dictator. At the time of Sulla's proscriptions he committed many horrible

1 "Lucius Catilina nobili genere natus fuit"

deeds. Among these may be noted the murder of Marcus
 ut. Marius, whose head he brought to Sulla's tribunal in the
 . Sulla. Forum, straightway crossing to the temple of Apollo where
 he washed his hands. This murder was done in return for
 Sulla's placing Catiline's brother's name upon the list
 of the proscribed.

When but a youth, Catiline was suspected of many
 crimes, at one time being accused of an intrigue with the
 vestal virgin Fabia, (Cicero's sister-in-law). Many also
 thought that he killed his wife and son in order to marry
 all. 15. the corrupt Aurelia Orestilla.

In Cat.1.5. His friends were the worst characters that Rome could
 11,4,9. furnish. Debtors, gladiators, actors, robbers, forgers,
 adulterers, parricides, men who had been convicted of
 crimes, and those who feared conviction flocked to him.
 He seemed to possess a fascination for young men, and de-
 lighted in inveigling them into crime.

Such is the description of Catiline which we have
 received from Sallust and Cicero. Cicero's estimate,
 however, we hesitate to accept without qualification for
 the reason that he was Catiline's bitter foe. Our hesi-
 tation is further strengthened by Cicero's own statement
 that at one time he so favored Catiline that it was his
 intention to plead his cause in court,¹ in the hope that

1 "Hoc tempore Catilinam, competitorem nostrum, defendere
 cogitamus. Iudices habemus quos volumus, summa accusa-
 toris voluntate. Spero, si absolutus erit coniunctiorem
 illum nobis fore in ratione petitionis; sin aliter accid-
 erit, humaniter feremus." Cic. Ad Att. 1. 2, 1.

Catiline might aid him politically. Sallust's estimate, which in all probability is based upon Cicero's statements, can not be considered of more value than its source.

"TEMPORA ET MORES."

The time in which Catiline lived was noted for its degeneracy. Discontent and corruption were everywhere. Indeed, conditions were favorable for just such attempts to usurp authority as we learn were made.

Rome had not recovered its stability since Sulla's reign of terror. Men saw all about them signs of the all. 37. luxury which Sulla's confiscations had brought to a favored Pro Mur.50. few, and were anxious to gain wealth for themselves in t. 11,18-23. a similar way. Some, whose parents had been killed and their inheritances taken from them by Sulla, longed for an opportunity of wreaking vengeance upon Sulla's party. Others, who had received large fortunes from Sulla, having squandered them were hoping to again enrich themselves by the spoils of another civil war.

In addition to the strength to be gained from these classes, aspiring leaders of revolution could easily find aid among the envious poor, the moderately well-to-do who were living beyond their means, and if need be, among the criminal classes.

The lack of a strong military force in Rome also all. 16. made it easy for such men as Catiline to raise insurrections. Pompey, with his whole army was waging war far from home, and there was a possibility that he might never return.

THE FIRST CONSPIRACY.

In framing our account of the years 66-62 B. C. we shall recognize two distinct conspiracies in which Catiline participated. Our support for this assumption may be found in Cicero (Pro Sulla 11.) This passage states that Torquatus (Sulla's accuser) asserted that there were two conspiracies, one when M'. Aemilius Lepidus and L. Volcatius Tullus were consuls (66 B. C.), and the other when Cicero was consul (63 B. C.)¹ This view is further strengthened by the fact that Sallust and Cicero both refer to the plot of 66 as the "superior coniuratio".

In the year 66 Catiline was prevented from being a candidate for the consulship by the fact that, as we learn from Sallust (18) and Asconius, he was suspected of misconduct in his province.² Finally, through the influence of many "consulares", particularly of Torquatus (Pro Sulla 81) he was acquitted of this charge, but it was then too late for him to enter the race for the consulship. However, his energies were soon expended in a different direction. About the Nones of December, after P. Antro-nius and P. Sulla, the consuls-elect, had been convicted

1 "Duae coniurationes abs te, Torquate, constituuntur, una, quae Lepido et Volcatio consulibus patre tuo consule designato facta esse dicitur, altera, quae me consule." Pro Sulla 11.

2 "Post paulo Catilina, pecuniarum repetundarum reus, prohibitus erat consulatum petere." Sall. 18.

of bribery and so disqualified for office, he is said to have entered into the plot which bears the name "The First Conspiracy".

Of this plot very little is definitely known, for, aside from chance references made by Cicero, we have to depend chiefly upon Sallust and Suetonius for our information concerning it. Sallust, in his chapters 18 and 19 which tell of this conspiracy can not be credited very strongly for his own words "de qua quam verissime potero dicam" (Sall. 18) give the impression that he does not wish to be held responsible for his statements, and again, when he says "sunt qui ita dicant" (Sall. 19) he admits that he is reporting mere hearsay. Suetonius, as we have noted above, was not a careful historian and so can not be trusted here.

That the public in general knew very little of this conspiracy beyond mere rumor is evident from Cicero's assertion that he had very little knowledge of it. He says "scis metamen illorum expertem temporum et sermonum fuisse" (Pro Sulla 11) and again "Illius igitur coniurationis, quae facta contra vos, delata ad vos, a vobis prolata esse dicitur, ego testis esse non potui," statements which he would not have dared to make, had definite knowledge of the conspiracy been general.

We may believe, then, that the reports of Sallust (Cat. 18) and Suetonius (D. Jul. 9) merely represent popular versions of the affair. From them we gain the following story. Catiline, Antonius, Caesar, Crassus, and

D. Jul. 9.

1. 18.

Sulla planned to make an attack upon the senate the first of the year (65 B. C.), and to kill L. Cotta and L. Torquatus, the new consuls, together with certain other men. Crassus was to become dictator, Caesar, "magister Equitum", and Piso was to be sent to secure the two Spains. The consulship, according to Sallust, was to be given to Sulla and Antronius. However, Cicero makes a statement which disturbs this notion. In his Pro Sulla oration (68) he quotes Torquatus as saying that the conspirators intended to make Catiline consul.¹ On January first, the day appointed for the massacre, we are told that Crassus, for some reason, did not appear, and so Caesar did not give the signal.

Another attempt, says Sallust,² was then planned for the Nones of February which would have been successful if Catiline had not given the signal before the armed forces had gathered. Sallust's date for this, however, is not verified by any other author.

The government, hearing of these attempts, gave a guard to the new consuls (Dio 36,44), and sent Piso to nearer Spain in the hope that Rome might be rid of a dangerous foe.

Of all the men who have been suspected of implication in the first conspiracy, Catiline, Antronius, Cn. Piso,

1 "cum dixisti hunc, ut Catilinam consulem efficeret, contra patrem tuum operas et manum comparasse."

2 Cat. 18.

and Vargunteius are the only ones of whose guilt there is much proof. That the guilt of these men was generally believed is indicated by Cicero. (Pro Sulla 67-68.) From Cicero we also learn that Antronius, when under suspicion, was deserted by even his fellow club and fraternity members.¹ (Pro Sulla 7.)

It will be observed that Sallust does not mention Sulla as a conspirator, though he was formally accused of participation in the plot. Evidently, Sallust has accepted Cicero's plea for Sulla, though to us it does not appear very convincing, particularly when it is recalled that Cicero probably undertook the case fully realizing that it would be to his advantage to court the favor of so wealthy and influential a man as Sulla.

Whether Caesar and Crassus were in this conspiracy remains uncertain. Suetonius, who represents Caesar as a conspirator, names five men as authorities for his statement. However, knowing that all these men were enemies of Caesar we can not give much credence to their testimony. Though Dio Cassius (47,41) seems to agree with what Suetonius says about Caesar, it is possible that he merely copied Suetonius' testimony without weighing its truth. Yet, even though the ancient authorities do not

1 "Antronio nonne sodales, non collegae sui, non veteres amici, quorum ille copia quondam abundarat, non hi omnes, qui sunt in re publica principes, defuerunt?"

enable us to state positively that Caesar was a conspirator, it is extremely likely that he sympathized with the plot, if it is believed that the aim of this was to overthrow the power of Pompey, as is implied by Sallust's words "iam tum potentia Pompeii formidulosa."

Different historians have assigned the leadership of this conspiracy to different men. Some, following Asconius, have been convinced that Caesar, aided by Crassus was the head. Others have considered Piso the chief conspirator, though Sallust makes him appear as the tool of Antronius and Catiline. Still others, reading into the account of the events of 66 ideas which they have gained from the history of 63 have considered Catiline as the leader, though Sallust clearly does not consider him so, for, when speaking of the conspirators, he says "in quibus Catilina fuit."

EVENTS OF 64 B. C.

Of the few events which can be assigned to this year, one is significant. We refer to the accusation which was made against certain men who had committed murders while in the service of Sulla. Through the instrumentality of Caesar, some of these were punished, though Catiline, as guilty as any, was acquitted. (Dio 37, 10.)

From this bit of information we learn Caesar's relation to Catiline, and so are not surprised when we find that, in the heated campaign which preceded the election, Caesar strongly supported Catiline who had again come

15. forward as a candidate of the popular party. However, in spite of Caesar's efforts, election day proved that Cicero, the optimates' candidate, was the favorite of the people, the second choice falling upon Antonius (Sall. 24), a friend of Catiline, but a man of less ability. (Sall. 24)

Modern historians have been puzzled in trying to discover the reason for Cicero's receiving so many votes, since, being a "novus homo", he lacked the support of a large number of the optimates. (Cic. De Leg. Agr. 11, 1-6.) The explanation usually offered is that, since Catiline's conspiracy was well known and feared, the votes which otherwise would have gone to him were given to Cicero. However, a general distrust of the democratic party, and Cicero's remarkable eloquence and purity of life were doubtless important factors in his election.

The only basis for the belief that a Catilinarian conspiracy existed during this year is the account of Sallust which can not be credited. The events, as narrated by him, are as follows. About the first of June Catiline began to persuade certain men that the time was favorable for an attack upon the republic. Later, he called these to a meeting at which he delivered a speech calculated to appeal to their love of wealth and glory. (Sall. 17.) Piso was in Hither Spain, and P. Sittius Nuccenus in Mauretania with armed force prepared, as Mommsen thinks, to raise an insurrection in case Catiline and Antonius should be elected. All these movements were reported to Curio, the source of his information. This

seems a flimsy excuse, for Cicero would have been a dull

Cicero by Fulvia, the friend of Curius. (Sall. 21,23.)

The reasons for believing that none of these events took place in the year 64 are strong. In the first place, no writer besides Sallust has attributed them to this year. Cicero, for example, in the account of the conspiracy which he gives in his oration *Pro Murena* (51-52) November 63 says nothing to indicate that the plot existed before the summer of 63.

Aside from the fact that Sallust's account is supported by no other author, the utter improbability of his statements puts them beyond belief. Is it credible that Catiline, a candidate for the consulship, should, the month before election, be occupied in laying plans against the government which he hoped to head? Certainly not. For, in case of his election, the army which he is alleged to have raised would have been an embarrassment, rather than an aid, to him, for it would have been viewed with suspicion by the public and possibly by his colleague. Indeed, it seems far more probable that, during the month of June, Catiline was bending all his energies toward gaining the goal of his ambition, the consulship.

Again, the one who accepts Sallust's view must satisfactorily explain Cicero's inaction. If Cicero had been informed about the conspiracy in 64, why did he wait an entire year before taking steps against the conspirators? Some have tried to account for this on the ground that Cicero was afraid to reveal his evidence for fear of implicating Curius, the source of his information. This seems a flimsy excuse, for Cicero would have been a dull

official indeed, if, with the knowledge he is said to have obtained, he could not by the use of spies have gained all the necessary information without injuring Curius.

But why should Sallust have departed so far from the truth here? There are two possible reasons. Since Sallust, as we have shown above, was unfriendly to Cicero, he may have seized this opportunity for unobtrusively making a thrust at him by creating the impression that the consul, though he knew of the conspiracy in 64, was so negligent that he waited until the following year to make it known. Or, Sallust's error in chronology here may be regarded merely as one instance of his carelessness in ordering of events, which, as we have seen, was characteristic of his writing.

EVENTS OF 63 B. C.

Lightnings in clear skies, earthquakes, and flashes of light in the West seemed to herald the disturbances which the government of Rome underwent that year. (Dio 37, 24-25; Plut. Vit. Cic.)

The first actual manifestation of the danger which threatened the state seems to have been the attempt of the tribunes to undermine the strength of the senate, and increase their own power. For, by bringing suit against Rabirius for a deed which, with the consent of the senate, he had committed forty years before, Caesar and others tried to make senatorial protection appear of little value. (Dio 37, 26.)

Such efforts as this reveal the disregard of governmental authority and the general spirit of unrest which were characteristic of the time, and give some notion of the difficulties which confronted the new consuls at the opening of the year 63. The situation was rendered still more serious by the fact that the meeting of this crisis devolved upon Cicero alone, since his colleague was too much in sympathy with the dangerous elements of Rome to be trusted. Though Cicero, knowing his colleague's inclination, tried to win his allegiance by allowing him the management of the province Macedonia, Antonius continued to sympathize with the "populares", and later became a supporter of the Catilinarians, as we learn from Pro Mur. 49, Pro Sestio 8, In Cat. III, 14 and Dio 36, 25.

But Cicero could do little to relieve conditions, since no specific act of treason had been committed, owing to the fact that the discontented forces were unorganized. As yet, no leader strong and bold enough to champion their cause had been found.

In the summer of 63, rumors were spread abroad that such a leader had appeared. This was Catiline, who was preparing to make a desperate struggle to obtain the consulship. No longer relying upon the support of the popular party which had been of no avail the preceding year, he sought aid from the worst classes in Italy. His followers formed a motley crowd ("turbam dissimillimo ex genere") indeed, for with adventurers of all sorts there were mingled some of Sulla's veterans who had come to Rome for the express

purpose of supporting Catiline, (Plut. Cic. Vit. 14) and also many who had been wronged by Sulla's soldiers. Even Antonius had promised aid.

Just what promises Catiline was compelled to make in order to gain a following of this sort we can not tell further than from Cicero's reference in Pro Murena (50), but those who say, that the burning of the city and general slaughter was planned find little support for their view. Moreover, it is evident that for Catiline to have made such plans at this time would have been folly, since their fulfillment would have meant the overthrow of the power he sought to attain.

It is not improbable that Catiline would have been elected if Cicero had not sought to injure him by causing the senate to decree an addition of a ten years' banishment to the penalties for bribery. (Dio 37, 29.) Catiline, resenting this as a thrust aimed at himself, planned to assassinate the consul and some other prominent men on the day of the election, even going so far as to utter in the presence of Cato this threat, "si quod esset in suas fortunas incendium excitatum, id se non aqua, sed ruina restincturum." (Cic. Pro Mur. 51.) When Cicero heard of Catiline's intentions he caused the senate to make a decree postponing the election which was to have been held the following day, and in place of the election a full meeting of the senate occurred at which Catiline was present. Cicero then made known to the senate the plans which Catiline had formed, and called upon him to speak, if he had any

Pro

51.

7, 29.

it. Cic.

explanation to make. Catiline made a bold reply, believing, as Plutarch thinks, that he had many sympathizers in the senate. He said that the state had two bodies, one feeble, with a weak head, the other strong, but lacking a head; that so long as he lived, the latter would not lack a head,¹ meaning that he intended to head the faction not represented by Cicero. The senate was amazed at the revelations made by Cicero, and many thought that the consul, as a personal enemy of Catiline, was making false accusations against him. Consequently, they allowed Catiline to go forth from the senate with an air of victory.

Of course, all this was noised abroad, and so, on election day, the people understood why Cicero appeared accompanied by a strong body guard, and wearing a shining cuirass. This action of the consul had the desired effect of turning the masses from favor to hatred of Catiline. As a result, Silanus and Murena were selected consuls.

Since no ancient writer has given the date of this election, it has been a subject of much dispute. Until recently, the date generally assigned for it was Oct. 28. The only basis which can be given for choosing this date is an assumed relation between Pro Mur. 51-52 and In Cat. 1,7.

1 "Tum enim dixit (Catilina) duo corpora esse rei publicae, unum debile infirmo capite, alterum firmum sine capite; huic, si ita de se meritum esset, caput se vivo non defuturum." Cic. Pro Mur. 51.

In the latter passage we are told that Cicero, in a meeting of the senate held Oct. 21 said that Catiline had planned a slaughter of the optimates for Oct. 28. That this meeting Oct. 21 was the one referred to in Pro Mur. 51 and that the slaughter planned for Oct. 28 was the same against which Cicero took precautions on election day (Pro Mur. 51 and Pro Sulla 51) has been taken for granted, though there is nothing in either passage to warrant such an assumption.

Moreover, if it is assumed that a relation exists between In Cat. 1, 7 and Pro Mur. 51-52, many difficulties arise which can not be resolved.

In the first place, if it is believed that a decree of postponement was made Oct 21, a postponement prior to this must be accounted for, since, after the time of Sulla, the elections were regularly held in the latter part of July. That such a postponement took place is extremely improbable, since such an unusual occurrence certainly would have been mentioned by some ancient author.

In the second place, as Dr. Lilie¹ has pointed out, it is not reasonable to suppose that Cicero, knowing the plans of Catiline for Oct. 28, would deliberately appoint that very day for the election, particularly since it was always the intention to hold elections in peaceful times.

Again, we are told (In Cat.1,7.) that Manlius was to

1 ["De Coniuratione Catilinaria Quaestio Chronologica."]

be in arms Oct 27.¹ How can this statement be harmonized with the assumption that Oct. 28 was the day set for the election? That Catiline, confident of election, as Cicero (Pro Mur. 51) represents him, should wish to raise a revolt is incredible, since such a rebellion would without doubt have been a detriment to him.

Since, then, we can find no reference in the authorities to prove that the election was postponed three months, and since there are strong reasons for believing that there was no such postponement, we shall consider that the consuls were elected sometime during the summer after a postponement which must have been short, since Sallust does not even mention it.

THE CONSPIRACY OF CATILINE.

37,30. Prior to the election of 63, Catiline's efforts were confined to attempts to gain the chief power in the state, and to weaken the strength of Cicero (In Cat. 1, 5) and his party. But, after his third defeat as candidate for the consulship, he began to form a plot against the whole state.

1 "Meministine me ante diem XII Kalendas Novembris decere in senatu fore in armis certo die, qui dies futurus esset ante diem VI Kal. Novembris, C. Manlium, audaciae satellitem atque administrum tuae?" Cic. In Cat. 1, 7.

Into this conspiracy he gathered men of all classes. Senators, knights, plebeians, slaves, and even foreigners joined him. Antonius, Publius Lentulus, Cethegus, and Gaius Manlius were his principal accomplices, (Dio) Lentulus and Cethegus being his most trusted men. (Appian 11.)

At this time, the meeting alluded to by Sallust (22) may have been held, at which, it was said, after an address by Catiline, the conspirators took an oath which they strengthened by tasting of the blood of a human victim mingled with wine. (Dio 37, 30.)

Definite preparations for a struggle were commenced at once, the necessary funds being obtained from dissolute women who hoped that civil war would rid them of their husbands. (Cf. Sall. 24.) Gaius Manlius, a veteran of Sulla, was sent to Faesulae, others to the Marches of Ancona, and still others to Ponilla to raise armies in secret.

The first conspirator to reveal these plans was Q. Curius, who, having lost his fortune, had forfeited the favor of his mistress, Fulvia. Suddenly, he began to make her great promises concerning the wealth which was to be his on a certain day. Then, upon her questioning him further, he told her the whole plan of the conspiracy. This information she immediately carried to Cicero.

Thus Cicero was enabled to learn all Catiline's plans. He found that Manlius was to take arms at Faesulae Oct. 27, and that Catiline was to enter upon a slaughter of the optimates at Rome Oct 28. However, Cicero made none of these plans known until he had evidence that other prominent

knew of the treachery planned.

On the night before Oct. 21, near midnight, Marcus Crassus, Marcus Marcellus, and Metellus Scipio, three of the most influential citizens of Rome, came to Cicero's home, bearing letters which had been left at the house of Crassus by some unknown person. At an early hour the next day, Cicero called together the senators who had already been annoyed by rumors. At this meeting the letters were read, and it was found that each contained the same message. Cicero also made known Catiline's plans for Oct. 27 and 28. The senate, much disturbed by these revelations, and at last realizing the gravity of the situation, passed the "consultum ultimum" ("Darent operam consules ne quid res publica detrimenti caperet") which, as interpreted by Sallust, gave the consuls power to raise an army, carry on war, and coerce citizens and allies in any way which should seem best to them.

t.Cic.15
In Cat.
1,7.
. 29.
37, 31.

In constructing our account of this meeting we have been compelled to rely upon Cicero for the date, since Plutarch, Dio Cassius, and Sallust have given no hint of its date. The only direct reference of Cicero to the time of the decree is in the First Oration (In Cat. 1,4) where we find the words "At nos vicesimum iam diem patimur hebescere aciem horum auctoritatis." Now, it is evident that if we know the date of the delivery of the First Oration we can determine the date of the decree with a fair degree of accuracy. Further on in our discussion we shall show that the ancient authorities point to Nov. 7 as the

date of this oration. Assuming, then for the present, that Nov. 7 is the correct date of the First Oration, by counting backward we find that the twentieth day falls upon Oct. 19. However, we know of no agitation against Catiline as occurring upon that day, nor can we say that any of his plans against the state were made public before Oct. 21. Hence, it appears probable that Cicero in using the words "vicesimum diem" spoke in round numbers and in reality referred to Oct. 21 as the date of the passing of the decree.

Nevertheless, it has been maintained by some that the "consultum ultimum" was passed at the meeting which preceded the election. This view we can not credit, for the following considerations can not be made to harmonize with it.

In the first place, Cicero (Pro Mur. 51) says that the decree made before the election was not severe enough.¹ This, certainly, we could not be said of the "consultum ultimum", the strongest decree that could be passed.

In the second place, we know that Cicero used private guards on election day. (Pro Sulla 51, "ego tectus praesidio firmo amicorum.") Had he been clothed with dictatorial powers at this time, such a guard would have been unnecessary.

Again, the words "cum in metu et periculo consulem viderent, id quod est factum, ad opem praesidiumque con-

¹ "Congemuit senatus frequens neque tamen satis severe pro rei indignitate decrevit."

current" (Cic. Pro Mur. 52) indicate that the election went against Catiline on account of a sudden impulse of the people on election day. This desertion of the people could not have been so sudden, if there had been sufficient sentiment against Catiline before this time to have warranted the senate in passing the "consultum ultimum".

Furthermore, Plutarch (Vit. Cic. 15) by direct statement, and Sallust, by his order of narrative, indicate that this decree did not precede the election. However, it should be stated here that not much dependence can be put in Sallust's order at this point, for he does not seem to have been well-informed concerning the circumstances of the passage of this decree. He does not mention the letters as a reason for the meeting at which it was passed, but thinks that Cicero had not gained sufficient information concerning the size and intentions of Manlius' army, and so referred the matter to the senate. It is possible that Sallust's vagueness here is intentional, and that he is trying to detract from Cicero's glory by withholding mention of the part he played in revealing the conspiracy at that famous meeting of the senate.

A short time after the passage of the "consultum ultimum" the senate learned through letters received by one Saenius that C. Manlius had raised an insurrection at Fae-sulae Oct 27. At the same time news came that a slave ^{war} ~~was~~ was being instituted in Capua and Apulia. Fortunately, two generals, Q. Marcius Rex and Q. Metellus Creticus,

were near Rome at this time, waiting for triumphs to be awarded them. Immediately, the senate sent the former to Faesulae and the latter to Apulia. Capua was to be guarded by Q. Pompeius Rufus and Picenum by Q. Metellus Celer.

A reward was also offered by the government to any one who should supply information concerning the conspiracy. A

1.30. slave who gave such information might expect to receive his freedom and one hundred sestertii, while to a freeman was offered safety from prosecution and two hundred sestertii. Further precautionary measures taken at this time were the removing of the bands of gladiators from Rome to the different "municipia", and the placing of guards throughout Rome under the command of minor officials.

By this time, the people of Rome were genuinely alarmed. Many of the principal citizens left the city Oct. 28,¹ (In Cat.1,7.) among them M. Licinius Crassus who had been warned by a letter to flee. Cicero himself never appeared in public without a guard. (Plut. Vit. Cic)

At length, Catiline was formally charged with treason. But, even then, his natural boldness did not desert him. He assumed an injured air, and, to prove to the people that his intentions were good, he surrendered himself to the government, and, by asking for protection at some private house, signified that he was willing to be watched. This

1 "Dixi ego idem in senatu caedem te optumatum contulisse in ante diem V Kalendas Novembris tum cum multi principes civitatis Roma non tam sui conservandi quam tuorum consiliorum reprimendorum causa profugerunt."

37,31-32. protection was refused him by M. Lepidus, Q. Metellus, and Cicero himself, but at last Metellus, the praetor, consented to be his guardian. Catiline's purpose at this time, evidently was, by diverting suspicion from himself, to gain time in which his fellow conspirators could increase their forces. However, his chief accomplices, Antonius and Lepidus, awed by the government's severe measures were too timid to give him the help he desired.

Piqued by their delay, Catiline caused meetings of the conspirators to be held. The first of these occurred on the Nones of November (Nov. 5th). This meeting, however, was of less importance than the one held the following night at the house of M. Porcius Laeca in "Sickle Street", at which Cicero (In Cat. 1,8) says many of Catiline's companions were present.¹ At this time the leader chided his helpers for their delay, (Sall. 27 and Dio. 37,32) and made definite plans for rebellion. The day was appointed upon which Catiline was to leave the city for Manlius' camp to which fasces, trumpets, military standards, and the silver eagle had already been sent. (In Cat. II,13) The plan of leaving the other conspirators in the city, and the assignments of districts of the city to certain ones for burning were agreed upon. (Pro Sulla 52: In Cat. 1,9.) Lentulus was to be left in charge of the forces within the city, Cassius was to superintend the burning, Cethegus, the

1 "Convenisse eodem complures eiusdem amentiae scelerisque socios."

slaughter, and Antronius was to take possession of Etruria.
(Pro Sulla 53.)

But Catiline felt that he would be hampered, so long as Cicero lived, and so, upon this occasion two conspirators said that they would kill the consul just before the dawn of the next morning, while he was yet in bed. (In Cat.1,9.) It was believed that the plan would succeed, since C. Cornelius, one of the would-be assassins was a friend of Cicero, and could on that account readily gain admittance to his home by pretending that he had come to give the consul his customary morning greeting. (Pro Sulla 52.) The intention of the conspirators was to call the people together after Cicero's death, and make it appear that his **alarm** for the state had been unfounded. (Appian De Civ. Bell. 11.) Fortunately, a report of this plot reached Cicero sooner than the two visitors. Curius, Cicero's usual informer, quickly bore the news to Fulvia, (Plut. Vit. Cic. 17) and she at once warned the consul. So, when Cornelius and his companion reached Cicero's door, they found it barred against them. (Sall. 28.) Plutarch adds that the assassins, angered at this, made a disturbance outside the door which **caused** the suspicion of the household.

Ancient authorities differ as to the names of the men who sought Cicero's life. Cicero (In Cat.1,9) simply speaks of them as "duo equites Romani", while Sallust's statement (28) indicates that one of them, L. Vargunteius, was a senator. However, we need have no hesitation in believing that

Cornelius was one of the men who knocked at Cicero's door, for Cicero states positively (Pro Sulla 52) that the elder Cornelius at a later time confessed that he had begged for the privilege of killing Cicero, and Sallust testifies that he received such a commission. (Sall. 28.) Plutarch's statement that Marcius and Cethegus were sent to murder the consul must be disregarded, since it is probable that Plutarch did not trouble himself to be accurate in matters of such apparently minor importance as this.

THE FIRST ORATION AGAINST CATILINE.

At some time during Nov. 7, probably toward evening, the senate was assembled by Cicero in the temple of Jupiter Stator. (Plut. Vit. Cic.) The people, who had heard all sorts of reports concerning the matter under discussion, were thronging about this meeting place. Catiline, seizing this opportunity for proving that his conscience was guiltless, passed through the crowd, into the senate, as Sallust (31) says "dissimulandi causa....sui." The senators, however, were not so easily deceived as he had anticipated, for, when at.1,16. he had taken his seat, all the "consulares", who were sitting .Vit.Cic.near him, left their places, showing plainly that they refused to be in company with him. Yet, it can not be asserted that Catiline had no sympathizers in the senate, for Cicero himself (In Cat.1, 30) said that some were present who, cherishing a kindly feeling for Catiline's aspiration, either did not see, or pretended not to see the dangers which were threatening.

Cicero, angered at Catiline's audacity, delivered a bitter invective against him, the famous "First Oration against Catiline". Even this was not sufficient to humiliate Catiline, for Sallust (31) says that with suppliant voice he begged the senators not to believe Cicero's accusations. The statement of Sallust alone is not sufficient to establish this as a fact, for in this same chapter he commits the error of attributing to this time the threat to extinguish fire by ruin, which Cicero (Pro Mur. 51) says was made at a former time. However, Cicero (In Cat. I, 20) indicates that Catiline did attempt to reply.¹ Whether the senators greeted Catiline's effort to speak with the cry "parricida", as Sallust (31) describes, is uncertain for Cicero mentions nothing of the kind.

That same night Catiline left the city by the Aemilian way, (In Cat. II, 6) intending to enter Manlius' camp in state, preceded, after the manner of a proconsul, by men carrying rods and axes.² According to Plutarch, (Vit. Cic. 16) three hundred men followed Catiline from the city. Ancient authors have assigned various motives for this departure. Cicero (In Cat. III, 3 and Pro Sulla 17) believed that he was driven forth by the words of the First Oration. Sallust, on the other hand, ignores this, and says (Sall. 32) that he left

1 "'Refer,' inquis, 'ad senatum'; id enim postulas et, si hic ordo placere decreverit te ire in exilium, obtemperaturum te esse dicis."

2 App. De Civ. Bell. 112

through fear of the guards at Rome and a desire to complete his plans.

Modern histories show a wide difference of opinion concerning the dates of the meeting or meetings at Laeca's and of the First Oration. This divergence is not to be wondered at since Cicero is the only authority who attempts to assign dates to these, and some of his statements admit of more than one interpretation.

That there were two meetings of the conspirators before the First Oration can not be questioned for Cicero (In Cat.1,1) indicates this by his use of the words "proxima" and "superiore nocte".

The date of the second and more important of these may be obtained from Pro Sulla 52 alone, in which Cicero says "Cum inter falcarios ad M. Laecam nocte ea, quae consecuta est posterum diem Nonarum Novembrium me consule Catilinae denuntiatione convenit?" Cicero's manner of expressing the date here is unfortunate, for, since it is used nowhere else in Latin Literature, (H. W. Johnston) its interpretation has become a matter for dispute. In determining the meaning of the passage, we have inclined to the simplest reading, and the one which best harmonizes with facts already known.

One common interpretation of this passage (Pro Sulla 52) is that originated by Mommsen.¹ This reading takes for granted that "posterum diem" refers to a day following the

1 Quoted by Dr. Lillie ("De Coniuratione Catilinaria Quaestio Chronologica.")

election, since, in the second sentence above, the election was mentioned. Accordingly, the sense of the passage would be "the Nones of November which followed the election." This interpretation demands that we believe that the election took place the day before, or at least a few days before the meeting at Laeca's. Now, from events which follow this meeting we know that it could not have occurred so early as during the summer to which we have assigned the election. So, if we are to connect the meeting at Laeca's with the election day, we are required to believe that the election took place in the autumn. Since, however, we have found strong reasons for placing the election date in the summer, we cannot believe that this reading of a doubtful passage can have more weight than these.

If this were the only possible reading of this passage, its evidence would be conclusive. But this is not the case for there is a much simpler interpretation of it based upon the belief that "posterum" is to be taken with the genitive "Nonarum Novembrium" in the same way in which "postridie" is related to the genitive "eius diei." (cf. B. G. 1, 23, 1.) Then the passage (Pro Sulla 52) would read "on that night which followed the day after the Nones", or Nov. 6.

Some have doubted that the attempt upon Cicero's life occurred upon the same night as the meeting at Laeca's. If that view is held, Cicero's own statement must be ignored, for his words "illa ipse nocte" (In Cat. 1, 9) definitely assign the two events to the same night. That Cicero, as some have thought, would prevaricate here merely to give the

impression that his foresight was supernatural is not likely, for many in his audience knew the facts, since he had communicated them to "multis ac summis viris." Moreover, Salust's account supports Cicero's "illa ipsa nocte".

Again, there are critics who, although they agree that the meeting at Laeca's occurred Nov. 6, and that the attempt upon Cicero's life followed soon after, yet disagree concerning the date of the First Oration. This disagreement arises from the vagueness of Cicero's expression "Hesterno die, Quirites, cum domi meae interfectus essem, senatum aedem Jovis Statoris convocavi." (In Cat. II, 12.) Either intentionally or through carelessness Cicero has not made clear whether "hesterno die" modifies both "interfectus essem" and "convocavi" or "convocavi" alone. The natural interpretation, and the one which Cicero's hearers must have given, would link "Hesterno die" with both "interfectus essem" and "convocavi," bringing out the idea that the meeting of the senate at which the "First Oration" was delivered occurred upon the day of Cicero's escape from death. Since this reading is the most evident, it should be credited if its idea is supported by other statements and contradicted by none. This we shall find to be the case. Two statements in particular support it. "Omnia superioris noctis consilia" (In Cat. II, 6.), the literal translation of which is "all the plans of night before last," uttered on the day after the First Oration, and "proxima . . . nocte"¹ (last night) refer to the meeting

¹ In Cat. I, V.

² "Ista, q. Catilina Massilianis dictitant." Cic. In Cat. II, 16.

at Laeca's, and so indicate that the First Oration was delivered on the following day, November 7th.

In Cicero (In Cat. I, 8) there is a passage, which, at first reading, might seem to contradict this view. In this, the words "priore nocte", marking the time of the meeting at Laeca's, seem to refer to a night preceding the night before. However, as Wirtz¹ has pointed out, Cicero in his Third Oration against Catiline uses the same words to denote the night preceding that upon which he was speaking. If we are to believe that Cicero uses these words in the same sense in the First Oration, then we must assume that this, as well as the Third Oration, was delivered in the evening or at least so late in the afternoon that Cicero might have properly used the words "priore nocte" as referring to the night before. That the senate met late in the day is an extremely reasonable assumption, for Cicero would have risked a great deal had he called an assembly in the morning or early afternoon. He needed the greater part of the day for strengthening the guards of the city, and for completing his plans. To have delayed these preparations by a meeting of the senate would have been folly, particularly since Cicero's dictatorship relieved him from the necessity of consulting the senate about these matters.

To resume our narrative even after Catiline's departure from Rome, there were many who refused to believe that he had gone to Manlius' camp, since there had been a report circulated that he had merely gone into exile at Massilia.²

1 ("Beiträge zur Catilinarischen Verschwörung p.4)

2 "isti, qui Catilinam Massiliam ire dictitant." Cic. In Cat. II, 16.

This report was strengthened by letters which Catiline sent to prominent men at Rome in which he asserted that he would go to Massilia as an exile rather than remain at Rome, to disprove the accusation against him. (Sall.34.) Sallust (35) gives a sample of these letters in which Catiline says that he has been angered by the sight of unworthy men in office, while he has been kept from honor by unfounded suspicions.

THE SECOND ORATION.

On the day following his First Oration (In Cat. II,12) or Nov. 8, Cicero delivered his Second Oration concerning Catiline. The purposes of this address were to justify his action upon the preceding day in sending Catiline from the city, to allay the fears of the people, and intimidate the conspirators who had remained in the city.

When, at length, Rome learned that Catiline had gone to Manlius' camp, both these men were officially declared public foes. At the same time Antonius was sent to pursue Catiline, and Cicero was left to guard Rome.

Meanwhile, messages were carried from the rebel forces to Q. Marcius Rex, the Roman commander, to the effect that Manlius' men were about to fight not for power or riches, but for liberty. The reply sent back by Q. Marcius was that, if the opposing army wished any concession from the senate, it must lay down arms.

In the city, the conspirators were awaiting developments. Prominent in this band was P. Cornelius Lentulus Sura,

a slow going man who had been consul in 71 B. C., and who now boasted that according to the Sibyl's responses he was to be the third Cornelius. (In Cat. III, 9: App. de Civ. Bel. 11: Plut. Vit. Cic.) L. Cassius, noted for his indolence, and C. Cethegus, described by Sallust as "natura ferox" and who, according to Cicero, surpassed even Catiline in daring, were his supporters. In addition to these, Sallust has named, as implicated in the plot, Q. Annius, L. Vargunteius, M. Porcius Laeca, L. Calpurnius Bestia, Q. Curius, "senatores", and L. Statilius, C. Cornelius, and P. Gabinus, "equites." To the band of conspirators which Catiline had left in the city, Lentulus added many recruits, accepting aid from any one from whom it could be obtained.

39.

Cat.
10.

After a spirited controversy, the leaders of the conspiracy decided to destroy the city during the festival called Saturnalia, (Dec. 17-19), evidently hoping that in the confusion incident to this celebration it would be easy to carry out their plans. At this time Statilius and Gabinus were to set fire to twelve places¹ in the city, thus creating a tumult which would make it possible for assassins to make their way to Cicero whose home was to be guarded by Cethegus. The slaughter of the optimates was to be merciless, the intention of Lentulus being to spare none but Pompey's sons, who were to be held as hostages. (Plut. Vit. Cic.) All these plans were reported to Cicero who had spies watching every move of the conspirators and received secret reports

43.

¹ Plutarch says one hundred places.

from men who had pretended to unite with the conspirators.
(Plut. Vit. Cic.)

Cicero, however, at this time was concerned with another matter also. Under the law concerning bribery, which we have mentioned above as passed at the instigation of Cicero himself, L. Licinius Murena, consul-elect, was tried for bribery. Cicero undertook his defense, delivering an oration in his behalf which resulted in Murena's acquittal. The exact date of this oration can not be determined, but from Pro Mur. 84 we know that it occurred after Antonius had been sent against Catiline.¹ It is also evident from the speech itself that it was delivered before the capture of the conspirators. So, we are justified in saying that this speech took place some time during the latter half of November.

THE ARREST OF THE CONSPIRATORS.

Cicero soon learned of a movement which promised to yield the actual evidence against the conspirators which he was waiting for. Certain Allobroges had come to Rome to beg relief from the oppression of their magistrates. Having been refused aid by the senate, they were in utter despair when they were accosted by P. Umbrenus, Q. Annius Chilo, P. Furius, and Gabinius, who hoped to cause the Gauls to rebel against the republic. (App. De Civ. Bell. 11). Umbrenus interviewed the Gauls first for he, having business

1 "Di faxint, ut meus collega, vir fortissimus, hoc Catilinae nefarium latrocinium armatus opprimat!" Cic. Pro Mur. 84.

interests in Gaul, was well acquainted with them. (Sall. 40.) He now promised them relief from their troubles on condition they should enter into the conspiracy. (Sall. 40.) The Allobroges, not knowing what to do, laid the matter before Fabius Sanga, the protector of their city. (App. de civ. bel. 11). Sanga immediately carried this news to Cicero who instructed the Allobroges to appear interested in the conspiracy. (Sall. 41.) Accordingly, they asked Lentulus, Cethegus, and Statilius for a sealed written oath by means of which they might induce their countrymen to join the conspiracy. The unsuspecting conspirators complied with this request, and, when the Allobroges were ready to leave, Lentulus sent T. Volturcius with them carrying, in addition to the letters just mentioned, one addressed to Catiline, instructing him to accept the aid of even the most degraded, and begging him not to delay further.

Cicero, knowing this, placed the praetors, L. Flaccus and C. Pomptinus, and helpers in hiding near the Mulvian bridge two miles from Rome. When Volturcius and the Allobroges approached this spot, they were attacked by these men, and compelled to give over the letters with seals unbroken. The conspirators themselves were seized and brought to Cicero at early dawn. (In Cat. III, 5-6.) Exercising his right to summon citizens into his presence, the consul called C. Gabinius, L. Statilius, C. Cethegus, and Lentulus to him. (In Cat. III, 6.) These were taken to the temple of Concord where a full senate was assembled. Then Volturcius and the Allobroges being brought in (Sall. 46) told of all their negotia-

tions with Lentulus. (App. de Civ. Bell.) Volturcius, having been promised protection by the state testified freely. (In Cat.III,8.) By the testimony of these men Sulla and Antronius were implicated in the conspiracy.

Of all this evidence Cicero caused written reports to be made and spread abroad. (Pro Sulla 43.) Even these, however, were doubted by some who, like Torquatus, Sulla's defender, believed that Cicero had caused his own version of the testimony to be placed on record.

After the evidence had been taken, the senate gave the conspirators into the custody of different prominent men, (Sall. 47: In Cat.III, 8-14) first requiring that Lentulus should resign the praetorship (App.) since no Roman holding public office could be punished. Resolutions were also passed for the arrest of L. Cassius, P. Furius, Q. Annius Chilo, P. Umbrenus, and M. Ceparus who were not present. (In Cat.III,14.) Finally, a thanksgiving was decreed to the immortal gods in Cicero's name on account of the delivery of the city from destruction. (In Cat.III,15: In Cat. IV,10.)

Meanwhile, a tumult was raging outside, (App.) for the people had guessed the purpose of the meeting, and the friends of the conspirators had fears as to its outcome. (App.) So, in the evening, to quiet the mob, Cicero addressed to them the Third Oration, in which he explained the doings of the day.¹ When the people had heard of the terrible fate

1 This speech is not mentioned by Sallust.

that had threatened them, they became wild in their praise of Cicero, though, but a short time before, many of them had favored Catiline. (Sall. 48.) Their feeling for Cicero at this time was intensified by their superstition concerning the fact that at the very time the conspirators were arrested, a statue of Jupiter was set up on the Capitol, facing the East. (Dio 37, 34.)

On the following day further evidence was received from . 48. L. Tarquinius who asserted that Crassus had sent word to Catiline not to be uneasy on account of the capture of the conspirators. However, this statement was discredited by a large number of listeners (cf. Dio 37, 35) who exclaimed that the witness was false. Sallust is not the only writer who mentions the suspicion which fell upon Crassus. Plutarch speaks of it,¹ but does not state his own opinion as to the foundation for it. Asconius alone goes so far as actually to state that Crassus was the originator of the conspiracy. (See Willrich "De Coniurationis Catilinae Fontibus.")

Various theories were advanced concerning the reason for this accusation. Sallust (48) says that some thought the conspirators wished to implicate Crassus hoping that he would afford them protection, while others believed that Cicero had bribed the witness to give false testimony. According to Dio Cassius (37,35) many were glad to ignore the evidence against Crassus, because they knew that the im-

1 Not in his Vit. Cic.

peachment of so powerful a man would add to the already great tumult.

At this time Caesar also was suspected of aiding the conspirators (Suet. D. Jul. 14: Plut. Vit. Caes. 8: Sall. 49: App. De Civ. Bell. 11.) Whether or not he was guilty of this can not be determined from the statements of authorities. According to Suetonius, L. Vettius and Q. Curius testified that Caesar was a conspirator, saying that they had received their information from Catiline. As a result of this testimony, no rewards were given to Curius and Vettius was imprisoned. Suetonius, Plutarch, Appian, and Sallust agree that through Cicero's influence Caesar was saved from being brought to trial, though Sallust alone very cleverly makes it appear that it would have been impossible for Cicero to have found actual proof of Caesar's guilt. He says (Sall. 49) that Q. Catulus and C. Piso, enemies of Caesar tried to persuade Cicero to declare Caesar an accomplice in the plot. Failing in this, they started such a rumor on their own authority. In the writings of Cicero we find no mention of Caesar in connection with the conspiracy further than the hint in In Cat. IV, 9 which leads us to suspect that Cicero may have had reasons for doubting Caesar's loyalty to the state. Inasmuch, then, as the authors we have mentioned merely state rumors, we can not be justified in assuming that Caesar was a conspirator, particularly since we know that a man so active in politics as was Caesar was likely to have enemies who would be glad to see him disgraced. However, there can be no doubt but that public sentiment was strong

against him, for Sallust (49) and Plutarch (Vit.Caes.) testify that, as he was leaving the senate, an attempt was made upon his life by Roman knights.

On the same day as the giving of the evidence against
 11. 50. Crassus (Dec. 4) rewards were decreed to the Allobroges. The
 11. In Cat. date of this decree can not be questioned, for Cicero clearly
 11. 5. marks the time in relation to the time of the Fourth Oration
 by these words, "et iudices hesterno die maximis praemiis ad-
 fecit." (In Cat.IV,10.)

On this day there was also an attempt made to rescue
 11. 50. the imprisoned conspirators. This, however, was unsucces-
 11. De Civ. ful, for, as soon as Cicero heard that slaves and freemen
 11. 11. were preparing to set the prisoners free, he surrounded the
 Capitol and Forum with guards. (App.11: Dio 37,35.)

We also learn that upon the night before the Fourth
 Oration, or Dec. 4, there were sacrifices of the Vestal Vir-
 gins at Cicero's home, during which an omen appeared in the
 form of a tongue-shaped flame rising from the fire. This
 ceremony, evidently, was a part of the celebration in honor of
 Bona Dea which Plutarch (Vit.Cic.) assigns to the same night
 as the Third Oration, making it appear that the Fourth Ora-
 tion was upon the day following the Third Oration. His
 chronology at this point is clearly erroneous, for Sallust
 (48) and Cicero contradict his statement. Cicero's words
 leave no doubt in our minds but that the arrest of the con-
 spirators took place two days before the Fourth Oration. He
 says, "Is et nudius tertius in custodiam cives Romanos
 dedit" (In Cat.IV,10) in which, according to the Roman method
 of counting days "nudius tertius" would mean day before

yesterday.

On the day following the festival at Cicero's house (Dec. 5), the praetors, at Cicero's command, obtained promises from the people under oath that they would serve as soldiers if necessity should arise.

THE NONES OF DECEMBER.

At some time during this day, the Senate convened at Cicero's summons. That this day was the Nones of December (Dec. 5) is known from no direct statement of any author, but from a casual remark made by Cicero in the Fourth Oration. He says "scribas item universos, quos cum casu hic dies ad aerarium frequentasset, video ab expectatione sortis ad salutem communem esse conversos," (In Cat. IV, 15.) indicating that upon that same day there took place the allotment of the "provinciae" to the quaestors and their attendants or "scribae". Since it is known positively that this allotment took place on the Nones of December, we are justified in giving this as the date of this meeting of the senate.

In order to understand the accounts of the proceedings of this session of the senate we must recall the rules of order which governed that body. According to the senate's custom, no senator could remark upon a question unless called upon by the presiding officer. Moreover, it was required that the members be asked for their opinions in a certain order. The first to be called upon was the "Princeps Senatus", the senator who had been especially honored by the censors. However, for meetings occurring between the time of election

and inauguration this order was varied. Then, it was proper for the ex-consuls to have precedence over the "Princeps Senatus". (App.11). Accordingly, we read in Appian (De Civ. Bell.11) that Cicero, the presiding officer, after stating the question, namely, what should be done with the conspirators, (Sall.50) called first upon Silanus, "consul designatus".

Silanus' motion has been differently reported. Cicero (In Cat.II,7) briefly states that Silanus' proposal was that the conspirators be punished by death, and Appian makes a similar statement. Sallust, on the other hand, says that Silanus declared himself in favor of the "severest punishment," not designating what punishment he meant.

After the consuls-elect had spoken, the ex-consuls were called upon. (Plut. Cat.22 and Caes. 7.) Since we learn from Prof. H. W. Johnston, who gathered data upon this point, that all the magistrates-elect were given precedence over ex-magistrates of the same class, we may be sure that Caesar, praetor urbanus-elect, spoke before the other praetors and ex-praetors. Knowing this, we are forced to conclude that Sallust, and Appian, his follower, were mistaken in thinking that T. Nero spoke before Caesar, and to incline rather to the view of Plutarch (Vit.Cic) that Caesar was the first speaker to oppose Silanus. We shall pass, then, to the speech of Caesar as reported by Sallust (51), Cicero (In Cat.IV) and Appian (De CivBell.11).

Rejecting the death penalty as a "new plan" (Sall.51) Caesar advocated that other very severe punishments be inflicted. (In Cat.IV,7.) His plan was first to confiscate

the goods of the conspirators, and then scatter the offenders among the free towns, there to be held in custody. He also proposed that a provision be made whereby it should be made impossible for the punishment of these traitors to be lightened at any time by either senate or people, (In Cat. IV, 8) adding that it was not lawful to put anyone to death without a formal trial. (App. De Civ. Bell. 11) (Cf. Dio 37, 36.)

So powerful was Caesar's plea, that those who followed him dared not oppose it. Cicero, seeing the direction that the discussion was taking, employed his privilege, as presiding officer, of interrupting a debate, and delivered his Fourth Oration Against Catiline. Impressed by what Caesar had said about the risk of condemning men unconstitutionally, he spoke very guardedly. Realizing that, whatever the decision of the senate, the responsibility for its action would rest upon him, he was careful not to pledge himself to any plan of action. He showed the danger that might result from Silanus' plan, saying in substance, "If you follow the opinion of Silanus, you bring trouble upon me."¹ (In Cat. IV, 9.) In reply to Caesar's attack upon the constitutionality of capital punishment, he maintained that the Sempronian law, which confirmed the citizen's right of appeal, was instituted for Roman citizens and not for enemies of the state such as the

1 "Si eritis secuti sententiam C. Caesaris, quoniam hanc is in re publica viam, quae popularis habetur, secutus est, fortasse minuserunt hoc auctore et cognitore huiusce sententiae mihi populares impetus pertimescendi; sin illam alteram, nescio an amplius mihi negotii contrahatur."

men under question. Without actually attacking Cæsar and his plan, he skillfully roused his hearers to a realization of the danger which threatened them by magnifying the dignity and glory of the city which was threatened with destruction, and by reminding them of their duty of protecting temples, homes, wives and children.

After this speech, Cicero laid the question before the senate anew, calling upon the senators in order again, as we learn from In Cat. IV, 6, "Sed ego institui referre ad vos, patres conscripti, tamquam integrum," ("But I have decided to refer it to you, conscript fathers, anew.") This interpretation of this passage is supported by two other passages, one in Sallust, the other in Plutarch. From Sallust we know that Silanus, being given an opportunity for a second speech, declared that he had meant to favor imprisonment in his first speech, and in Plutarch (Vit. Cic.) we find the statement that, after Cicero's speech, the discussion proceeded until Lutatius Catulus was reached. Now, since Silanus' name, as we have said above, was the first on the roll, and since Lutatius Catulus, as "Princeps Senatus,"¹ was entitled to third place, it is evident that Cicero, after his own speech, commenced again at the first of the roll in asking the opinions of the members.

According to Plutarch, Catulus put himself on record as favoring capital punishment. He was supported in this view by Cato, (Sall. 52) who entered upon a tirade against

1 (Wirtz, "Beiträge zur Catilinarischen Verschwörung", P. 6.)

1 ("La Conspiration de Catilina" by J. P. F. de la Harpe, P. 233.)

the more merciful proposals (Plut. Vit. Cat. 23), making it clear that if the senate should be lenient at that point, Catiline and his forces would be more ferocious than ever. Incidentally, he cast suspicion upon Caesar's motives.

The sentiment of Cato at length prevailed and the conspirators were condemned to death, (Sall. 53: Plut. Vit. Cic.) a sacrifice and festival being decreed at the same time in celebration of the saving of the city. (Dio 37, 36.)

In connection with the discussion of the debate of this day, the question arises "Can we be sure that the speeches of Caesar and Cato have been reported to us accurately, inasmuch as they are not extant to-day?" Merimee considered that the speech of Caesar was reported verbatim by Sallust.¹ This opinion is not generally held, however, for it is not probable that Sallust would depart from the custom of historians of his day which required that an author in recording a speech should exhibit his own best literary style, regardless of the words of the original. However, it is evident that Sallust reproduced the spirit of Caesar's speech faithfully, for his account of it agrees in the main with that of Cicero. It is also improbable that Sallust misrepresented Cato's speech, for he must have read the original, since Plutarch says that in his time it was extant.

EXECUTION OF THE PRISONERS.

Before the senate, which had pronounced the death sentence,

1 ("La Conjuration De Catilina" by G. Boissier, p. 228.)

adjourned, the prisoners, Lentulus, Cethegus, Statilius, Gabinius and Caeparius (Sall. 55: Pro Sulla 33) were led from the private houses where they had been detained to the prison where the execution immediately took place. (App. De Civ.Bell.11,6: Plut.Vit.Cic 22)

During all these proceedings, the forum, the temples surrounding it, and particularly the entrance to the temple where the senate sat, were thronged with people of all classes, (In Cat.IV,14) anxiously awaiting the senate's decision. The first intimation they received of what had happened was from Cicero's exclamation as he passed through the Forum, "They did live." The other conspirators, who had been lingering about the Forum, fled when they heard this. (App. De Civ.Bell. 11) However, the Roman government succeeded in bringing several of these to trial.

CATILINE'S DOOM.

Just what Catiline did during the time which intervened between his arrival at the Manlian camp and the Nones of December is not known accurately, since Sallust is the only author who attempts to tell of this. He says (Sall.56) that, as soon as Catiline saw Antonius approaching with an army, he made a journey through the mountains to avoid the necessity of open combat, waiting, as Dio thinks, in the hope that Cicero might be killed. (Dio 37,39.)

When Catiline received news of the overthrow of the conspiracy at Rome, he tried to proceed into Transalpine

57. Gaul. This plan was thwarted by Q. Metellus Celer who, in January of 62 B. C. (Dio 37,39) with three legions cut off Catiline's entrance into Gaul. Antonius, also, was close at hand. Hemmed in by these two leaders, and being without adequate food supply (Sall.58), Catiline was forced to fight.

First, however, he called together his men, numbering, as Dio Cassius thinks, three thousand. (Dio 37,40.) Appian, on the other hand, says that Catiline had with him twenty thousand men, one fourth of whom were armed. Of the two estimates Dio Cassius' is the more reasonable, though it is probable that Catiline, at an earlier date, had more than three thousand men, for many, seeing the turn which affairs at Rome were taking, may have deserted him.

After reminding his men that they were to fight for liberty as opposed to the rule of the few (Sall.58) he placed them in order for battle. Manlius he stationed on the right wing and Faesulanus on the left. (Sall. 59.) For some reason he chose to attack Antonius rather than Metellus. (Dio 37,39.) Mommsen's opinion is that he did this because Antonius was nearer while Felke ("De Sallustii Catilina") believes that he preferred to meet Antonius because his force was the smaller one. However this may have been, we are told that Antonius refused to enter the combat, sending M. Petreius in his place. (Sall.59.) Sallust assigns no reason for this, but Dio Cassius (37,39) would have us believe that Antonius, not wishing to meet Catiline in battle for fear some things in his own past might be revealed, feigned illness and remained in camp.

Sallust's description of the battle of this day is doubtless correct, for many of his readers had taken part in it, and would have detected errors. He says that the fighting was intense; that, when Manlius and Faesulanus had been killed and Catiline saw that there was no hope for his cause, he rushed into the thickest of the enemy and met death. (Sall. 61.) Not one of Catiline's men fled, but met death like heroes. (Dio 37,40.) (Sall.61; App.II.)

EVENTS AFTER THE DEATH OF CATILINE.

Though Appian says that the conspiracy ended with Catiline's death, we learn from Dio Cassius (37,41) that, even after the battle, some of Catiline's sympathizers tried to raise rebellions. These attempts, however, were promptly put down by praetors sent from Rome.

It was some time before Rome recovered from its agitation. Since so many prominent men had been suspected of treachery, no one knew whom to trust, and innocent men were alarmed lest they should be falsely accused. At length their fears were allayed when an official list of the guilty was posted and Rome again assumed something like its normal state. Cicero was the hero of the day, being hailed as "The father of his country" (App.II) by the very people who, but a short time after, willingly consented to his exile.